

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

RAYMOND KING,

Plaintiff

v.

FRANKENMUTH INSURANCE,

Defendant.

Civil Action No.: \_\_\_\_\_

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1332, 1441 and 1446 and Fed.R.Civ.P. 81, Frankenmuth Insurance (“Defendant”), hereby notices the removal of this action commenced against it by Raymond King in the Cumberland County Superior Court in the State of Maine to the United States District Court for the District of Maine. The grounds for removal are as follows:

1. On February 18, 2021, Plaintiff Raymond King commenced a civil action in the Superior Court for Cumberland County Maine, Case Number CV-21-63 in an action captioned, “Raymond King v. Patriot Insurance and Frankenmuth Insurance” (“State Court Action”).

2. The Complaint alleges Defendants terminated Plaintiff’s employment in violation of the Maine Human Rights Act.

3. On April 30, 2021, Defendants accepted service of the Summons and Complaint for the State Court Action.

4. On May 13, 2021, Plaintiff dismissed Patriot Insurance from the State Court Action and also filed a Motion to Amend the Complaint to remove Patriot Insurance, to which the Defendants did not object.

5. Upon information and belief, Plaintiff resides in Saco, Maine.

6. Frankenmuth Insurance is a Michigan corporation, with a principal place of business in Frankenmuth, Michigan.

7. Plaintiff seeks economic and non-economic damages, including but not limited to lost wages, punitive damages and attorney's fees.

8. Upon information and belief, at all times material herein, Frankenmuth Insurance had in excess of five hundred employees nationwide.

9. Based on the elements of damages requested, as well as the damages caps set forth in 5 M.R.S.A. § 46138(e), the amount in controversy exceeds \$75,000.00.

10. Based on the foregoing, there is complete diversity among the parties and this Court has diversity jurisdiction over Plaintiff's claims under 28 U.S.C. §1332.

11. This civil action is being removed pursuant to 28 U.S.C. §§1441 and 1446(b)(1).

12. Copies of all process and pleadings served on Defendant in connection with the State Court Action are filed herewith, as Exhibits A-1 through A-6. Upon information and belief, no additional papers have been filed or served.

13. Written notice of filing this Notice of Removal is being provided to all parties herein and a true and accurate copy of this Notice of Removal is being filed with the Clerk of the Superior Court for Cumberland County pursuant to 28 U.S.C. §1446.

Wherefore, Defendant respectfully requests that this action proceed as an action removed to the United States District Court for the District of Maine from the Cumberland County Superior Court for the State of Maine for the above stated reasons.

Dated: May 17, 2021

Respectfully Submitted,

FRANKENMUTH INSURANCE,

By its attorneys,

/s/ Peter Bennett

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Notice of Removal was served May 17, 2021 via email and U.S. first-class upon Guy D. Loranger, Esq., attorney for the Plaintiff.

/s/ Peter Bennett